



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



310899

JUN 20 2008

REPLY TO THE ATTENTION OF:

Lindsay Light II Site/OU11

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tronox LLC
(f/k/a Kerr-McGee Chemical Corporation)
c/o CT Corporation System,
Registered Agent
208 South LaSalle Street, Suite 814
Chicago, IL 60604-1101

RE: Lindsay Light II Site
OU11 180 E. Illinois Building
(Aka 160 E. Illinois)
Site # 05 YT
Demand Letter

Dear Sir or Madam:

The United States Environmental Protection Agency ("U.S. EPA") is conducting response actions to address contamination at the Lindsay Light II Site and its Operable Units ("OU"). U.S. EPA is taking these actions under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. §9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 100 Stat. 1613 (1986). Prior to undertaking these response actions, U.S. EPA determined that there was a release or threatened release of hazardous substances from the Lindsay Light II Site, OU11 180 E. Illinois Building ("Site"). The U.S. EPA undertook the response actions using monies authorized by CERCLA, as amended. U.S. EPA also issued a Unilateral Administrative Order on June 6, 1996, (Docket No. V-W-96-C-353) to conduct certain response actions including the investigation and cleanup of off-site thorium contamination associated with the Lindsay Light Company's operations at 316 E. Illinois Street, Chicago, IL (Lindsay Light II Site).

During the response, U.S. EPA undertook several actions at the Site. They included the following:

The Site, located at 160 E. Illinois Street, is the location of the former Kieffer Building. The Kieffer Building was located directly south of the Lindsay Light Building at 161 E. Grand Avenue (the Lindsay

Light I Site) and extended into the alley directly behind the Lindsay Light Building.

The Kieffer Building was demolished in 2005 in order for the property to be developed. The outside perimeter of the remaining foundation wall extended beyond the property boundary into the alley, which is part of the city of Chicago's right of way. Excavation around the outside perimeter of the foundation wall proceeded during development and as the excavation moved into the alley, thorium contaminated soil was found underlying the blacktop and brick pavers. The contaminated area was approximately 10 feet long and 2 feet wide, and was located along the south half of the alley adjacent to the Lindsay Light Building.

The U.S. EPA clean-up criterion for soil is 7.1 picoCuries per gram ("pCi/g"). Samples collected from contaminated portion of the alley were analyzed and determined to be 360-371 pCi/g total radium. Approximately 8 cubic yards (15 tons) of thorium-contaminated soil was excavated from this alley area. Transportation and disposal of the contaminated soil was handled by Kerr-McGee Chemical, LLC., now known as Tronox, Incorporated.

U.S. EPA has incurred response costs associated with this Site. The approximate U.S. EPA response costs identified up to May 31, 2008, for the above referenced Site are \$16,161.13. A summary is enclosed.

Information available to U.S. EPA indicates among other things that you are potentially responsible for the release, or threat of release of hazardous substances from the Site. Pursuant to the provisions of Section 107(a) of CERCLA, and based on evidence currently available to the Agency, U.S. EPA believes that you may be liable for the payment of all costs incurred by U.S. EPA in connection with the Site. Partial payments will not release the payer of liability for payment of the rest of the costs that are owed to U.S. EPA. Limiting language on the check or in accompanying letters will be considered to be advisory only and will not be considered as placing conditions on the amount paid or as limiting liability on other costs demanded in this letter.

Such payment must be made by a cashier's or certified check made payable to the "U.S. EPA Hazardous Substance Superfund", which is established by the Internal Revenue Code, 26 U.S.C. §9507, and administered by U.S. EPA. Please send your check to U.S. EPA, Superfund Payments, Cincinnati Finance Center, P.O. Box 979076, St. Louis, MO 63197-9000. Place the following Site Identification Number on the check: 05 YT/OU11. Please send a copy of your payment check to William Messenger, Chief, Emergency Enforcement Services Section, U.S. EPA, Region 5, Superfund Division (SE-5J), 77 W. Jackson Blvd., Chicago, Illinois 60604, and also to Mary Fulghum, Associate Regional Counsel, U.S. EPA, Region 5 (C-14J), 77 W. Jackson Blvd., Chicago, Illinois 60604.

We hereby demand that you make restitution by payment of the amount in this letter expended by the Agency in connection with the Site pursuant to authority of CERCLA, as amended. Pursuant to Section 107(a) of CERCLA, as amended, interest shall begin accruing as of the date of this demand, if payment is not received within thirty (30) days of the date of this letter.

If you desire to discuss your liability with U.S. EPA, please contact Mary Fulghum, Associate Regional Counsel, in writing no later than thirty (30) days after the date of this letter. Ms. Fulghum may also be reached by phone at (312) 886-4683. If we do not receive a response from you within this time frame, U.S. EPA will assume that you have declined to reimburse the Fund for the Site expenditures, and pursuant to CERCLA, U.S. EPA may pursue civil litigation against you to recover all of its costs, with interest.

Sincerely,



Linda M. Nachowicz, Chief
Emergency Response Branch 2

Enclosure

cc: T.L. Cabbage, III, Esq.
Covington & Burling LLP
1201 Pennsylvania Avenue
Washington, District of Columbia 20004-2401

Annette Lang
U.S. Department of Justice
Environment and Natural Resources Division
Law and Policy Section
P.O. Box 4390
Ben Franklin Station
Washington, District of Columbia 20044-4390

Itemized Cost Summary

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT

Operable Unit(s): 11

Costs Through 05/31/2008.

REGIONAL PAYROLL COSTS	\$10,014.37
EPA INDIRECT COSTS	\$6,146.76
Total Site Costs:	<u>\$16,161.13</u>

Regional Payroll Costs
 LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
 Operable Unit(s): 11
 Costs Through 05/31/2008.

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
BYRD, SHEILA M.	2005	17	1.75	72.43
FINANCIAL ASSISTANT		19	0.25	10.33
			<u>2.00</u>	<u>\$82.76</u>
FULGHUM, MARY L.	2005	21	34.00	2,452.60
GENERAL ATTORNEY		22	20.00	1,442.72
	2006	12	2.00	149.27
		14	1.00	74.64
		16	0.75	55.99
			<u>57.75</u>	<u>\$4,175.22</u>
JABLONOWSKI, EUGENE A.	2005	18	2.00	113.29
ENVIRONMENTAL ENGINEER		19	3.00	169.92
		20	3.50	198.24
		21	5.50	311.54
		22	13.50	764.71
			<u>27.50</u>	<u>\$1,557.70</u>
JENSEN, LARRY W.	2005	19	1.00	61.72
HEALTH PHYSICIST		20	2.00	123.43
		21	15.50	956.69
		23	3.50	216.01
		24	1.00	61.72
			<u>23.00</u>	<u>\$1,419.57</u>
KYTE, LAWRENCE W.	2005	22	0.25	17.67
SUPERVISORY GENERAL ATTORNEY			<u>0.25</u>	<u>\$17.67</u>
MARTWICK, CATHLEEN R.	2005	20	2.50	152.63
GENERAL ATTORNEY		21	5.75	350.89
		22	2.25	137.32
		27	1.00	61.03
			<u>11.50</u>	<u>\$701.87</u>
REGEL, DEBBIE F.	2005	21	21.00	981.12
FRIPT, DEBBIE		22	2.50	116.80
ENVIRONMENTAL PROTECTION SPECIALIST		23	1.00	46.73

Regional Payroll Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT

Operable Unit(s): 11

Costs Through 05/31/2008.

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
REGEL, DEBBIE F.	2005	27	0.50	23.36
	2006	04	0.50	23.35
		07	0.50	23.35
			26.00	\$1,214.71
SIMON, VERNETA J.	2005	19	3.00	168.98
ENVIRONMENTAL ENGINEER		20	2.00	112.65
		21	4.00	225.29
		23	2.00	112.66
	2006	01	4.00	225.29
			15.00	\$844.87
Total Regional Payroll Costs			163.00	\$10,014.37

Headquarters Payroll Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT

Operable Unit(s): 11

Costs Through 05/31/2008.

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
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Regional Travel Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11

Costs Through 05/31/2008.

<u>Traveler/Vendor Name</u>	<u>Travel Number</u>	<u>Treasury Schedule</u>	<u>Treasury Schedule Date</u>	<u>Travel Costs</u>
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Costs Through 05/31/2008.

<u>Traveler/Vendor Name</u>	<u>Travel Number</u>	<u>Treasury Schedule</u>	<u>Treasury Schedule Date</u>	<u>Travel Costs</u>
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Financial Cost Summary for the Contract Lab Program

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11

Costs Through 05/31/2008.

CONTRACT LAB PROGRAM (CLP) COSTS

Miscellaneous (MIS) Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11

Costs Through 05/31/2008.

EPA Indirect Costs
LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11
Costs Through 05/31/2008.

<u>Fiscal Year</u>	<u>Direct Costs</u>	<u>Indirect Rate(%)</u>	<u>Indirect Costs</u>
2005	9,462.48	61.68%	5,836.44
2006	551.89	56.23%	310.32
	<u>10,014.37</u>		
Total EPA Indirect Costs			<u>\$6,146.76</u>

EPA Indirect Costs
 LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
 Operable Unit(s): 11
 Costs Through 05/31/2008.

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
BYRD, SHEILA M.	2005	17	72.43	61.68%	44.67
		19	10.33	61.68%	6.37
			<u>82.76</u>		<u>\$51.04</u>
FULGHUM, MARY L.	2005	21	2,452.60	61.68%	1,512.76
		22	1,442.72	61.68%	889.87
			<u>3,895.32</u>		<u>\$2,402.63</u>
JABLONOWSKI, EUGENE A.	2005	18	113.29	61.68%	69.88
		19	169.92	61.68%	104.81
		20	198.24	61.68%	122.27
		21	311.54	61.68%	192.16
		22	764.71	61.68%	471.67
			<u>1,557.70</u>		<u>\$960.79</u>
JENSEN, LARRY W.	2005	19	61.72	61.68%	38.07
		20	123.43	61.68%	76.13
		21	956.69	61.68%	590.09
		23	216.01	61.68%	133.23
		24	61.72	61.68%	38.07
			<u>1,419.57</u>		<u>\$875.59</u>
KYTE, LAWRENCE W.	2005	22	17.67	61.68%	10.90
			<u>17.67</u>		<u>\$10.90</u>
MARTWICK, CATHLEEN R.	2005	20	152.63	61.68%	94.14
		21	350.89	61.68%	216.43
		22	137.32	61.68%	84.70

EPA Indirect Costs
 LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
 Operable Unit(s): 11
 Costs Through 05/31/2008.

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
MARTWICK, CATHLEEN R.	2005	27	61.03	61.68%	37.64
			701.87		\$432.91
REGEL, DEBBIE F.	2005	21	981.12	61.68%	605.15
		22	116.80	61.68%	72.04
		23	46.73	61.68%	28.82
		27	23.36	61.68%	14.41
			1,168.01		\$720.42
SIMON, VERNETA J.	2005	19	168.98	61.68%	104.23
		20	112.65	61.68%	69.48
		21	225.29	61.68%	138.96
		23	112.66	61.68%	69.49
			619.58		\$382.16
Total Fiscal Year 2005 Payroll Direct Costs:			9,462.48		\$5,836.44
Total Fiscal Year 2005:			9,462.48		\$5,836.44

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
FULGHUM, MARY L.	2006	12	149.27	56.23%	83.93
		14	74.64	56.23%	41.97
		16	55.99	56.23%	31.48
			279.90		\$157.38
REGEL, DEBBIE F.	2006	04	23.35	56.23%	13.13

EPA Indirect Costs
LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11
Costs Through 05/31/2008.

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
REGEL, DEBBIE F.	2006	07	23.35	56.23%	13.13
			46.70		\$26.26
 SIMON, VERNETA J.	 2006	 01	 225.29	 56.23%	 126.68
			225.29		\$126.68
 Total Fiscal Year 2006 Payroll Direct Costs:			 551.89		 \$310.32
 Total Fiscal Year 2006:			 551.89		 \$310.32
 Total EPA Indirect Costs					 \$6,146.76

bcc: Mary Fulghum, ORC (C-14J)
Cathy Martwick, ORC (C-14J)
Debbie Keating, EESS (SE-5J)
Verneta Simon, OSC (SE-5J)

Gary King, IEPA, Division of Land Pollution Control, 1021 North Grand Ave.
East, Springfield, IL 62702

Betty White, PAAS (MF-10J)
Records Center (SMR-7J)

Joe Poetter, U.S. EPA Cincinnati Finance Center, MS 002, Cincinnati, OH 45268

REGION V EMERGENCY ENFORCEMENT SUPPORT SECTION ROUTE - SLIP FOR DEMAND LETTERS		
Lindsay Light II/OU11 180 E. Illinois Building (Aka 160 E. Illinois)		DATE: June 18, 2008
TO	NAME	SIGN/DATE
<i>Debbie Keating</i>	Originator	<i>dek 6-18-2008</i>
<i>Betty White</i>	Financial Management Branch <i>10th Floor</i>	
<i>Mary Fulghum</i>	Office of Regional Counsel	<i>MBF 6/11/08</i>
<i>Bill Messenger</i>	Chief, Emergency Enforcement Services Section	<i>for BM 6/20/08</i>
<i>Linda Nachowicz</i>	Chief, Emergency Response Branch 2	<i>LN 6/20/08</i>
<div style="display: flex; justify-content: space-between;"> [xx}Return to Akimi Cheng, EESS Due Date: ASAP </div>		
COMMENTS: SOL Date: July 29, 2008		

JUN 20 2008

Lindsay Light II Site/OU11

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tronox LLC
 (F/K/A Kerr-McGee Chemical Corporation)
 c/o The Corporation Company,
 Registered Agent
 120 North Robinson, Suite 735
 Oklahoma City, OK 73102

RE: Lindsay Light II Site
 OU11 180 E. Illinois Building
 (Aka 160 E. Illinois)
 Site # 05 YT
 Demand Letter

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During the response, U.S. EPA undertook several actions at the Site. They included the following:

The Site is located at 180 E. Illinois Street, the location of the former Kieffer Building. The Kieffer Building was located directly south of the Lindsay Light Building at 161 E. Grand Avenue, the Lindsay

dck 6-18-08	ES Kearney	OSC Chief	RS Chief	EES Chief	ORC Chief	ORC Chief	EPH Chief	ENF Chief	ENF Chief
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Total Site Costs:	<u>\$16,161.13</u>

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		19	0.25	10.33
			<u>2.00</u>	<u>\$82.76</u>
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		22	20.00	1,442.72
	2006	12	2.00	149.27
		14	1.00	74.64
		16	0.75	55.99
			<u>57.75</u>	<u>\$4,175.22</u>
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		19	3.00	169.92
		20	3.50	198.24
		21	5.50	311.54
		22	13.50	764.71
			<u>27.50</u>	<u>\$1,557.70</u>
JENSEN, LARRY W. HEALTH PHYSICIST	2005	19	1.00	61.72
		20	2.00	123.43
		21	15.50	956.69
		23	3.50	216.01
		24	1.00	61.72
			<u>23.00</u>	<u>\$1,419.57</u>
KYTE, LAWRENCE W. SUPERVISORY GENERAL ATTORNEY	2005	22	0.25	17.67
			<u>0.25</u>	<u>\$17.67</u>
MARTWICK, CATHLEEN R. GENERAL ATTORNEY	2005	20	2.50	152.63
		21	5.75	350.89
		22	2.25	137.32
		27	1.00	61.03
			<u>11.50</u>	<u>\$701.87</u>
REGEL, DEBBIE F. FRIPT, DEBBIE ENVIRONMENTAL PROTECTION SPECIALIST	2005	21	21.00	981.12
		22	2.50	116.80
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		21	4.00	225.29
		23	2.00	112.66
	2006	01	4.00	225.29
			<u>15.00</u>	<u>\$844.87</u>
Total Regional Payroll Costs			<u>163.00</u>	<u>\$10,014.37</u>

Headquarters Payroll Costs

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<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
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Regional Travel Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11

Costs Through 05/31/2008.

<u>Traveler/Vendor Name</u>	<u>Travel Number</u>	<u>Treasury Schedule</u>	<u>Treasury Schedule Date</u>	<u>Travel Costs</u>
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Headquarters Travel Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT

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Financial Cost Summary for the Contract Lab Program

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CONTRACT LAB PROGRAM (CLP) COSTS

Miscellaneous (MIS) Costs

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LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
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BYRD, SHEILA M.	2005	17	72.43	61.68%	44.67
		19	10.33	61.68%	6.37
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FULGHUM, MARY L.	2005	21	2,452.60	61.68%	1,512.76
		22	1,442.72	61.68%	889.87
			<u>3,895.32</u>		<u>\$2,402.63</u>
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			<u>1,557.70</u>		<u>\$960.79</u>
JENSEN, LARRY W.	2005	19	61.72	61.68%	38.07
		20	123.43	61.68%	76.13
		21	956.69	61.68%	590.09
		23	216.01	61.68%	133.23
		24	61.72	61.68%	38.07
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			<u>17.67</u>		<u>\$10.90</u>
MARTWICK, CATHLEEN R.	2005	20	152.63	61.68%	94.14
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PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
MARTWICK, CATHLEEN R.	2005	27	61.03	61.68%	37.64
			701.87		\$432.91
REGEL, DEBBIE F.	2005	21	981.12	61.68%	605.15
		22	116.80	61.68%	72.04
		23	46.73	61.68%	28.82
		27	23.36	61.68%	14.41
			1,168.01		\$720.42
SIMON, VERNETA J.	2005	19	168.98	61.68%	104.23
		20	112.65	61.68%	69.48
		21	225.29	61.68%	138.96
		23	112.66	61.68%	69.49
			619.58		\$382.16
Total Fiscal Year 2005 Payroll Direct Costs:			9,462.48		\$5,836.44
Total Fiscal Year 2005:			9,462.48		\$5,836.44

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
FULGHUM, MARY L.	2006	12	149.27	56.23%	83.93
		14	74.64	56.23%	41.97
		16	55.99	56.23%	31.48
			279.90		\$157.38
REGEL, DEBBIE F.	2006	04	23.35	56.23%	13.13

EPA Indirect Costs

LINDSEY LIGHT II, CHICAGO, IL SITE ID = 05 YT
Operable Unit(s): 11

Costs Through 05/31/2008.

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
REGEL, DEBBIE F.	2006	07	23.35	56.23%	13.13
			46.70		\$26.26
 SIMON, VERNETA J.	 2006	 01	 225.29	 56.23%	 126.68
			225.29		\$126.68
 Total Fiscal Year 2006 Payroll Direct Costs:			 551.89		 \$310.32
 Total Fiscal Year 2006:			 551.89		 \$310.32
 Total EPA Indirect Costs					 \$6,146.76

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